

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
CLERK'S OFFICE

JEAN JADEL ALEXANDRE,)
Petitioner,)
)
v.)
)
STEVEN FARQUARSON,)
DISTRICT DIRECTOR,)
IMMIGRATION AND)
CUSTOM ENFORCEMENT,)
Respondent.)

2004 JAN -6 P 2:49

U.S. DISTRICT COURT
DISTRICT OF MASS.
CIVIL ACTION NO:
Docket # 03-12357-PBS

MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION

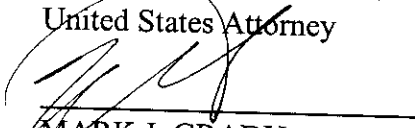
Now comes the Respondent to request that the instant habeas petition be dismissed for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1). As grounds, therefore, the Respondent states that the court lacks subject matter jurisdiction over the asserted claims.

The Respondent submits the attached memorandum of law in support of his motion.

For the reasons more fully stated in the Respondent's Memorandum of Law, the Respondent requests that the instant Petition be dismissed.

By his attorneys,

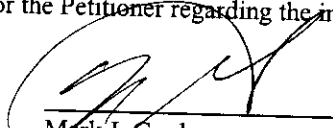
MICHAEL J. SULLIVAN
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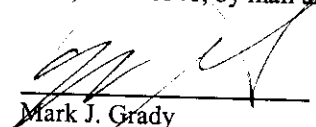
Certificate of Compliance With Rule 7.1

I hereby certify that I spoke to counsel for the Petitioner regarding the instant motion. No agreement could be reached as to the issues raised.


Mark J. Grady

Certificate of Service

I hereby certify that a true copy of the above document was served upon counsel for the Petitioner, Steven Lagana, Lagana & Associates, 145 Essex Street, Lawrence, MA 01841, by mail and fax on this 6th day of January 2004.


Mark J. Grady
Assistant U.S. Attorney